

**Public Notice of Compatibility  
Determinations (being prepared)**

*A Proposed Transportation System*

*Between King Cove and Cold Bay, Alaska*

The Refuge Manager of Izembek National Wildlife Refuge is preparing a compatibility determination for the proposed construction of a transportation system between the cities of King Cove and Cold Bay, Alaska, and is inviting public comments. The proposal is to permit and construct a transportation system, consisting of a road and hovercraft link, between the City of King Cove and the Cold Bay Airport, Alaska. The Aleutians East Borough has filed an application with the Alaska District, U.S. Army Corps of Engineers (Corps) for this project. A requirement for the development of this project is the completion of an Environmental Impact Statement (EIS).

The Corps is the lead agency for the development of the EIS and Mr. G. Leroy Phillips is the Corp's Project Manager. Michael Baker Jr. Inc. is the third-party contractor preparing the EIS. The Draft EIS and Appendices are posted on the Internet at <http://www.kingcoveaccesseis.com> and on the Alaska District, Corps of Engineers' web site at [www.poa.usace.army.mil/Reg](http://www.poa.usace.army.mil/Reg). Copies can also be viewed at Alaska public libraries. In addition, limited hard copies may be available by calling the Corps at 1-800-486-2714 in Alaska, (907) 753-2712, or by Fax at (907) 753-5567.

Because the project occurs on lands that have been conveyed to the King Cove Native Corporation with patent restrictions imposed by Section 22(g) of the Alaska Native Claims Settlement Act (ANSCA), a refuge compatibility determination is required. This determination will only evaluate the effects of the project on the adjacent refuge lands and focus on how the project would effect the ability of the refuge to achieve its purposes.

We invite the public to provide relevant information and express their views on whether or not this project will materially interfere with or detract from the refuge's ability to meet its mandated purposes. Refuge purposes include: conserving fish and wildlife populations and habitats in their natural diversity; fulfilling international treaty obligations with respect to fish and wildlife and their habitats; providing the opportunity for continued subsistence uses by local residents; providing a program of national and international scientific research on marine resources; and ensuring water quality and necessary water quantity within the refuge. As the adjacent refuge lands are designated as a Wilderness Area, the purposes of the Wilderness Act are supplemental to refuge purposes and will also be considered in the compatibility determination.

The 1997 National Wildlife Refuge System Improvement Act requires the Refuge Manager to determine whether any proposed or existing public use will "materially interfere with or detract from" the refuge's conservation mandates before it is permitted or allowed to continue. All compatibility determinations must be made in writing and follow uniform procedures that include providing notice to the public and inviting comment on pending determinations.

In 1971, Congress enacted ANCSA to settle aboriginal land claims of Alaska's Natives by providing land and money in exchange for extinguishment of their land claims. Section 22(g) of the Act made National Wildlife Refuge lands available for selection by Native Village Corporations, but it also contained a provision that "...such lands remain subject to the laws and regulations governing use and development of such Refuge." This means that the refuge laws and regulations requiring that we determine the compatibility of proposed refuge uses applies to the village lands in national wildlife refuges in Alaska withdrawn under Section 22(g) of ANCSA. These lands were deeded to Alaska Native Village Corporations with specific restrictions, called covenants, on their sale and use. On 22(g) lands refuge managers focus their compatibility determination on how the impacts of the proposed use would affect adjacent refuge lands and the degree that the proposed use would materially interfere with the refuge's ability to achieve its legally mandated purposes. This is the fundamental protection provided to the parent refuges from the effects of uses of 22(g) lands that Congress provided in Section 22(g) of ANCSA.

Written comments on the Draft EIS must be submitted by September 23, 2003, to G. Leroy Phillips, Regulatory Branch, P.O. Box 6898, Elmendorf AFB 99506-6898. Comments concerning the compatibility determination may be included as comments concerning the Draft EIS and/or they may be mailed to the USFWS directly at the address below. Comments concerning the compatibility determination must also be submitted by September 23, 2003. The Service will complete a compatibility determination on the proposed Transportation System from King Cove to Cold Bay following the public comment period on the Draft EIS. Comments addressing the compatibility issue should specifically articulate how the proposed project would, or would not, materially interfere with or detract from the Refuge purposes. Questions about the compatibility determination process, or to receive a copy of the compatibility determination once completed, contact the Refuge Manager, Izembek NWR, P.O. Box 127, Cold Bay, Alaska 99571 via the internet at [r7izemnwr@fws.gov](mailto:r7izemnwr@fws.gov) or by phone at (907) 532-2445. Information on the compatibility determination process may also be found at <http://alaska.fws.gov/compatibility/> .

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